

**Testimony of Kate Goodloe,
Managing Director of Business Software Alliance**

**Hearing on Examining Legislation to Establish a Federal Comprehensive Privacy and
Data Security Law**

**Before the House Energy and Commerce Committee,
Subcommittee on Commerce, Manufacturing, and Trade**

June 3, 2026

Good morning Chair Bilirakis, Ranking Member Schakowsky, Chair Guthrie, Ranking Member Pallone, and members of the Subcommittee. My name is Kate Goodloe, and I am Managing Director at the Business Software Alliance (BSA).

BSA represents the business-to-business technology providers that support companies in every sector of the economy. Privacy and security are core issues for our members, which is why we are deeply engaged on privacy legislation in the United States, including in state capitals, and around the world. Companies of all sizes and all industries — including manufacturers, automakers, hotel chains, and energy companies — rely on AI-driven business-to-business tools like cloud computing, collaboration software, customer service platforms, and cybersecurity services. BSA members provide these technologies, so that other businesses can focus on what they do best: making products and serving customers.

The United States needs a national privacy law built for the modern economy — one that pairs strong consumer protections with clear rules that limit how companies can use consumers' data. We welcome your focus on this issue and thank you for the opportunity to testify.

This Committee has led Congress's work to protect consumer privacy. We urge you to continue that work — and to leverage progress made by states in recent years.

- In July 2022, this Committee approved a comprehensive consumer privacy bill. At that time, just one state had a consumer privacy law in force.
- Two years later, in April 2024, leaders of this Committee released a discussion draft of an updated federal privacy bill. By then, five state privacy laws had entered force.
- Now, two more years have passed — and 22 states have acted.

Past efforts to draft comprehensive federal privacy legislation started from a blank slate. But the landscape of American consumer privacy laws is no longer blank. Twenty-two states — both red and blue — have enacted consumer privacy laws. Those laws are remarkably consistent, because 21 share the same core structure, with a common approach to definitions, rights, and obligations. But this core structure risks unraveling, as at least 30 different amendments have revised, expanded, and changed state laws, making it hard for companies and consumers to keep up.

The Secure Data Act adopts the right structure for protecting consumer privacy nationwide because it is grounded in laws already passed by states. This is a key difference from prior federal bills.

The Secure Data Act:

- Uses the same structure of privacy legislation that underpins 21 of the 22 state laws.
- Includes a core set of rights for consumers, based on the clear consensus that consumers should have the ability to access, correct, and delete their data — and rights to opt out of activities like sale of their data, targeted advertising, and certain profiling.
- Adopts the longstanding, widespread distinction between controllers and processors. This ensures its obligations fit companies across the modern supply chain, in which one company relies on many others to serve customers.

I want to emphasize this last point, because every company that handles consumers' data should be required to do so responsibly, in a way that fits their role.

Grounding federal privacy legislation in the structure already used by state privacy laws is a critical step. We urge you to continue this important work.

Why is this good for businesses? Companies should not have to track 50 moving goalposts to do business in the United States. We need a single, clear set of rules that limits how companies collect and use data — so consumers trust their data is used responsibly.

Why is it good for consumers? Consumers need rights that do not depend on whether they live in one of the 22 states that has already acted. Consumers' data should also be used responsibly and kept securely no matter where they live.

Of course, in order for any federal privacy bill to pass into law it will need to have bipartisan support. As this bill moves through the process, we hope that the text can become a bipartisan product.

Privacy has always been a bipartisan issue. In the states, 10 Democratic governors and 11 Republican governors have signed privacy bills with this structure into law. We look forward to working with both sides of the aisle as the bill moves forward.

We appreciate this Subcommittee's leadership on federal privacy legislation and we urge you to move the Secure Data Act through the legislative process to promote technology adoption across the economy and protect American consumers nationwide.

Thank you and I look forward to your questions.